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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,324	07/10/2003	Timothy Gordon Godfrey	050337-1220 (05CXT0061 WL	2826

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EXAMINER	
VIANA DI PRISCO, GERMAN	
ART UNIT	**PAPER NUMBER**
2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/617,324	GODFREY ET AL.	
	Examiner	Art Unit	
	German Viana Di Prisco	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/25/2004*
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to Applicant's communication filed on July 10, 2003. **Claims 1-24** are now pending in the present application. **This Action is made non-final.**

Priority

2. Applicant's claim for domestic priority under 35 U.S.C. 119 (e) is acknowledged.

Information Disclosure Statement

3. The information disclosure statement submitted on October 25, 2004 has been considered by the Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 11,13, 15-18,20 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Reddy et al. (United States Patent Application publication No.: US 2006/0148516 A1).

Consider claims 11 and 18, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11

standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). It is inherently taught by the IEEE 802.11 standard that the addressing mechanism for establishing an ad hoc connection comprises receiving a frame with an independent basic service set identifier and at least a source address and a destination address. The IEEE 802.11 standard further teaches that establishing an infrastructure mode connection comprises receiving a frame with a basic service set identifier that is different from the independent basic set identifier, and at least three addresses.

Reddy et al. further disclose establishing a connection between a source station and a destination station through an intermediary station and a base station wherein an ad hoc connection is first established between said source station and said intermediary station and an infrastructure connection is established between said intermediary station and said destination station through said base station wherein the address of said destination station is relayed by said intermediary station from said source station to said base station (page 5 paragraphs [0053]-[0054]).

Consider claim 13, as applied to claim 11 above, and claim 20, as applied to claim 18 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). Reddy further discloses

the substance (data) of the communication is conveyed as both an ad hoc communication (first frame) and infrastructure communication (second frame) (page 5, paragraph [0054]).

Consider claim 15, as applied to claim 11 above, and claim 22, as applied to claim 18 above, Reddy et al. clearly disclose a wireless communication network and a method using IEEE 802.11 air interface protocol (page 4, paragraph [0042]).

Consider claim 16, as applied to claim 11 above, and claim 23, as applied to claim 18 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). It is inherently taught by the IEEE 802.11 standard that the addressing mechanism for establishing an infrastructure mode connection comprises receiving a frame with a basic service set identifier that is the medium access control address of the wireless interface in an access point.

Consider claim 17, as applied to claim 11 above, and claim 24, as applied to claim 18 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). Reddy et al. further discloses that a station joining the hybrid ad hoc network conveys an

identification parameter to the network through its infrastructure mode connection (page 5, paragraph [0053]). This implies the passing of frames transmitted in an ad hoc or independent mode connection (independent basic set identifier) and in an infrastructure mode connection (infrastructure basic service set identifier).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-10,12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reddy et al. (United States Patent Application publication No.: US 2006/0148516 A1) in view of Rune (United States Patent Application publication No.: US 2006/0062187 A1).

Consider claims 1 and 6 Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). It is inherently taught by the IEEE 802.11 standard that the addressing mechanism for establishing an ad hoc connection comprises receiving a frame with an independent basic service set identifier and at least a source address and a

destination address. The IEEE 802.11 standard further teaches that establishing an infrastructure mode connection comprises receiving a frame with a basic service set identifier that is different from the independent basic set identifier, and at least three addresses.

Reddy et al. further disclose establishing a connection between a source station and a destination station through an intermediary station and a base station wherein an ad hoc connection is first established between said source station and said intermediary station and an infrastructure connection is established between said intermediary station and said destination station through said base station wherein the address of said destination station is relayed by said intermediary station from said source station to said base station (page 5 paragraphs [0053]-[0054]).

However Reddy et al. do not disclose tagging said first frame with a tag that represents said first basic service set identifier.

In the same field of endeavor Rune discloses a method in an access network for preventing hosts connected to the access network from communicating directly to each other by tagging frames as taught by the IEEE 802.1Q standard (page 2, paragraphs [0015}-[0021]).

Therefore it would have been obvious to person of ordinary skill in the art at the time the invention was made, to use frame tagging as disclosed by Rune in the method of Reddy et al. in order to filter and relay frames.

Consider claim 2, as applied to claim 1 above, and claim 7, as applied to claim 6 above, Reddy et al. clearly disclose a wireless communication network and a method using IEEE 802.11 air interface protocol (page 4, paragraph [0042]).

Consider claim 3, as applied to claim 1 above, and claim 8, as applied to claim 6 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). It is inherently taught by the IEEE 802.11 standard that the addressing mechanism for establishing an infrastructure mode connection comprises receiving a frame with a basic service set identifier that is the medium access control address of the wireless interface in an access point.

Consider claim 4, as applied to claim 1 above, and claim 9, as applied to claim 6 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). Reddy et al. further discloses that a station joining the hybrid ad hoc network conveys an identification parameter to the network through its infrastructure mode connection (page 5, paragraph [0053]). This implies the passing of frames transmitted in an ad hoc or

independent mode connection (independent basic set identifier) and in an infrastructure mode connection (infrastructure basic service set identifier).

Consider claim 5, as applied to claim 1 above, and claim 10, as applied to claim 6 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). Reddy further discloses the substance (data) of the communication is conveyed as both an ad hoc communication (first frame) and infrastructure communication (second frame) (page 5, paragraph [0054]).

Consider claim 12, as applied to claim 11 above, and claim 19, as applied to claim 18 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). It is inherently taught by the IEEE 802.11 standard that the addressing mechanism for establishing an ad hoc connection comprises receiving a frame with an independent basic service set identifier and at least a source address and a destination address. The IEEE 802.11 standard further teaches that establishing an infrastructure mode connection comprises receiving a frame with a basic service set identifier that is different from the independent basic set identifier, and at least three addresses.

Reddy et al. further disclose establishing a connection between a source station and a destination station through an intermediary station and a base station wherein an ad hoc connection is first established between said source station and said intermediary station and an infrastructure connection is established between said intermediary station and said destination station through said base station wherein the address of said destination station is relayed by said intermediary station from said source station to said base station (page 5 paragraphs [0053]-[0054]).

However Reddy et al. do not disclose tagging said first frame with a tag that represents said first basic service set identifier.

In the same field of endeavor Rune discloses a method in an access network for preventing hosts connected to the access network from communicating directly to each other by tagging frames as taught by the IEEE 802.1Q standard (page 2, paragraphs [0015}-[0021]).

Therefore it would have been obvious to person of ordinary skill in the art at the time the invention was made, to use frame tagging as disclosed by Rune in the method of Reddy et al. in order to filter and relay frames.

10. Claims 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reddy et al. (United States Patent Application publication No.: US 2006/0148516 A1) in view of ANSI/IEEE Standard 802.11, 1999 Edition.

Consider claim 14, as applied to claim 13, and claim 21, as applied to claim 20 above, Reddy et al. show and disclose a wireless network and a method for wireless communications that use the IEEE 802.11 standard wherein wireless transmit receive units have both independent (ad hoc) and infrastructure modes of operation (page 2 paragraphs [0018]- [0019]). Reddy further discloses the substance (data) of the communication is conveyed as both an ad hoc communication (first frame) and infrastructure communication (second frame) (page 5, paragraph [0054]).

However Reddy et al. do not disclose encrypting the data.

In the same field of endeavor, the IEEE 802.11 standard discloses using an optional WEP mechanism to perform the actual compression of messages (pages iv and 21).

Therefore it would have been obvious to person of ordinary skill in the art at the time the invention was made, to use encrypt the messages as disclosed in the IEEE 802.11 standard in the method and network of Reddy et al. in order to provide secure transmissions.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. Cromer at al. (United States Patent Application Publication No.: US 2003/0156558 A1) disclose a wireless device communicating with an access point through an intermediate wireless device. Hymel (United States Patent Application Publication No.: US 2003/0220988 A1) discloses a method and electronic device for establishing an interface to control an accessory device. Wentink (United States Patent Application Publication No.: US 2005/0135305 A1) discloses a technique for initiating a direct wireless link between two wireless devices. Bowman (Bowman, Barb, *Making the Wireless Home Network Connection in Windows XP Without a Router*, April 8,2002) discloses accessing the Internet wirelessly through another computer using Internet Connection Sharing and encryption. *Microsoft Windows 98 README for Browser Connection Setup Wizard,* March, 1999 discloses connecting a computer network to the Internet by sharing a single connection.

12. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

Commissioner for Patents

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Hand-delivered responses should be brought to

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March 26, 2007

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SUPERVISORY PATENT EXAMINER
3/30/07